

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF VIRGINIA

In.re: **Global Realty Management Inc.**

Debtor

Case No. 19-12812

Chapter. 11

Global Realty Management Inc.

(Plaintiff)

V.

American Mortgage Investment Partners Management LLC

Wilmington Savings Fund Society

Samuel I White P.C

(Defendant/s)

**FILED
FRONT COUNTER
2019 AUG 30 PM 3:16
CLERK
US BANKRUPTCY COURT
ALEXANDRIA DIVISION**

**~~CONFIDENTIAL~~ MOTION TO VOID/INVALIDATE FORCLOSURE SALE. REQUESTING COURT HOLD
IN CONTEMPT OF COURT. LENDERS & TRUSTEE VIOLATE BANKRUPTCY LAWS OF AUTO STAY,
SALE ORDER, IRREGULARITIES IN FORCLOSURE PROCESS, FAILURE TO COMPLY WITH
PROCEDURAL REQUIREMENT, CURRENT AUTO STAY OF PROPERTY, APPEALS AND PENDING
LAWSUITES FROM DEBTOR.**

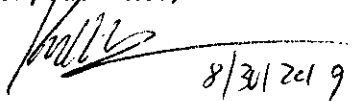
Global Realty Management Inc., Corporation of Virginia, files this complaint and states as follows:

PARTIES AND NATURE OF ACTION

This is a complaint and motion to void/invalidate foreclosure sale and/or recover the Debtor's interest of real property located at 42414 Chamois Ct, Arcola VA 20166 on Forclosures Scheduled Date of 8/26/2019 by Samuel White, P.C Substitute Trustee of American Mortgage Investment Partners, Management LLC Administrator of Wilmington Savings Fund Society. Requesting court hold in contempt of court. Lenders & Trustee/Substitutes violate bankruptcy laws of sale order and Failure to comply with procedural requirement. Foreclosure sale were held during Auto Stay and Appeal Process of Co-Owner, Debtor, 18-11117 BEK & Civil Action 1:19cv654-L0-JDD

Due to the last minute notice and needing for taking urgency action to protect the property, financial interest of the company & shareholder, we filed emergency Chapter 11 on sale date of 8/26/2019. We were given 14 days from filling date to have our attorney enter their appearance for our case and will have our council represent us promptly. Our company's plan includes making appropriate payment plan with New Lender (Wilmington Savings Funds) which includes 100% propose plan to pay current, past and future balance. Under our property management, we currently already have tenant's income exceed 130% of mortgage payment. We are asking for our judge of honor help , **requesting to Void/Invalidate Forclosure Sale of property 42414 Chamois Ct, Arcola VA 20166, Requesting Court Hold in Contempt of Court, Lenders & Trustee/Substitute have fail to comply with bankruptcy laws of sale or orderorder, auto stay. Failure.** In additional, there are existing/prior Auto Stay and pending appeal from Co-Owner of the property which the Forclosure sale were not authorized by statute to conduct.

Respecfully Submitted,



8/30/2019

Global Realty Management Inc.

42414 Chamois Ct,

Arcola, VA 20166

703-889-0789

FACTUAL ALLEGATIONS

American Mortgage Investment Partners Management LLC Admi of Wilmington Savings Fund and Samuel I. Whites P.C/Trustee Substitutes held a foreclosure sale of real property 42414 Chamois Ct. Arcola VA on August/26/2019. There were irregularity in the foreclosure process that were noncompliance with the Bankruptcy Court laws of sale orders. The foreclosure is conducted not authorized by the statue.

- a. **There are current Auto Stay and pending appeal of other co-owner/debtor,** 18:1117 BFK and Civil Action 1:19-cv-034-L0-FDD. Therefore the forclosure sale conduct were not authoried by the statue.
- b. **There were irregularity in the forclosure process.** There were no prior notice property serve to owner/co-owner, Debtor, Global Realty Management Inc. Debtor were being informed of the Foreclosure sale by one of the renter/tenant of the property, there were no prior notice, properly serve and or given the options for legal resolution.
- c. Due to time of constrant and the need for appropriate urgent action, Global Realty Management filed for emergency Bankruptcy, **Chapter11 case#19-12812**. Officers of Global Realty Management called prior to sale time to inform Samuel I. Whites P.C, Trustee Substitute (spoke to Ms.Ciera) of the Corporation Bankruptcy Filling and request for voiding sale in respect to Bankruptcy Statutory Law and Auto Stay as well as sending over the Notice of Bankruptcy Case Filing. However, the conversation were not property noted in the file, the sale proceed with noncompliance and/or authorize by the statue.
- d. **Non-compliance with terms of the mortgage**
- e. **Breach Of Bona Fide Rental Lease, Financial Lost and Injuries over \$110,000.** Under ownership and property management of Global Realty Management Inc. There are pending rental lease of the property which generates significant income which will apply as payment to lenders/mortgae as entering repayment plan arrangement. Property foreclosure lead to Breach Of Contract, personal lost and injuries for amount not less than \$110,000.
- f. Global Realty Management have **financial interest and loss of over \$75,000**. The company have spend, investment for property renovation of property's exterior& interior, as well as Finishing, Built out the entire 2000squarefoot of basement. The Foreclosure of the property caused the financial loss and injuries to the Debtor.

United States Bankruptcy Court
Eastern District of Virginia

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 11 of the United States Bankruptcy Code, entered on 08/26/2019 at 3:30 PM and filed on 08/26/2019.

Global Realty Management Inc.
42414 Chamois Ct
Arcola, VA 20166
Tax ID / EIN: 82-4923812



The case was assigned case number 19-12812-KHK to Judge Klinette H. Kindred.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page <http://www.vaeb.uscourts.gov> or at the Clerk's Office, 200 South Washington Street, Alexandria, VA 22314.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

William C. Redden
Clerk, U.S. Bankruptcy Court

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In re:

Duc Tan Nguyen, Debtor

)
)
) Case: 18:1117-BFK (K.J.)

) CIVIL ACTION 1:19cv634-LO-IDD

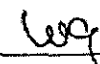
ORDER

Appellant, Kimberly Vu, has filed a response to the Court's June 18, 2019 order which required her to file a designation of items to be included on appeal, or the appeal would be dismissed. (Dkt. 4) The Court construes Ms. Vu's response as a motion for an extension of time within which to file the designation.

It is hereby **ORDERED** that Ms. Vu is granted an additional 30 days from the date of this Order within which to file the designation of the record on appeal. If the designation is not filed within that time, the appeal will be dismissed.

The clerk is directed to send a copy of this order to Ms. Vu at the following addresses forthwith: 42414 Chamois Court, Arcola, VA 20166 **AND** 42414 Chamois Court, Sterling, VA 20166, as well as to Duc Tan Nguyen, Debtor, and to counsel of record.

IT IS SO ORDERED.




Liam O'Grady
United States District Judge

Alexandria Virginia
July 26, 2019

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was sent via first class mail to the U.S. Trustee, Trustee and all interested parties on this 30th day of August, 2019.

_____

American Mortgage Investment Partners Management LLC
Admin of Wilmington Savings Fund Society.

Samuel I. White P.C / Substitute Trustee
5040 Corporate Woods Drive St. 120
Virginia Beach VA 23462

FILED
FRONT COUNTER

2019 AUG 30 PM 3:16

CLERK
US BANKRUPTCY COURT
ALEXANDRIA DIVISION

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In re: Global Realty Management Case No. 19-12812
Debtor(s) Chapter 11

Global Realty Management

Plaintiff(s)

Adversary Proceeding No.

v. American Mortgage Investment Partners
Wilmington Savings Fund Society
Defendant(s) Samuel I. White P.C./Trustee Substitute

CERTIFICATION UNDER LOCAL BANKRUPTCY RULE 2090-1

Document Title: (U.V.) ~~Global Realty Management~~ + Motion To Void/Invalidate Foreclosure Sale
Date Document Filed: 8/30/2019
Docket Entry No.

I declare under penalty of perjury that (Check one box):

- ☒ No attorney has prepared or assisted in the preparation of this document.
☐ The following attorney prepared or assisted in the preparation of this document.

(Name of Attorney)

(Address of Attorney)

(Telephone Number of Attorney)

Global Realty Management

Name of Pro Se Party (Print or Type)

Name of Pro Se Party (Print or Type)

[Signature]
Signature of Pro Se Party

Signature of Pro Se Party

Executed on: 8/30/2019 (Date)